

PUBLIC CHAPTER NO. 1087

HOUSE BILL NO. 3687

**By Representatives Tindell, Armstrong, Hood, Hardaway, Ferguson,
Rinks, Litz**

Substituted for: Senate Bill No. 3894

By Senator Burchett

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 3,
relative to convenience voting.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 3, is amended
by adding the following new part and designating it as following:

PART 3 – CONVENIENCE VOTING

Section 2-3-301.

(a) The purpose of this part is to create a pilot project to determine whether convenient voting centers could successfully be established for local and state elections to make it convenient for voters to vote at centralized voting areas in the county in which the voter is registered irrespective of the voter's precinct.

(b) A municipality shall indicate its willingness to participate in such a pilot project by adopting a resolution by a majority vote of its legislative body and forwarding the resolution to the county election commission where the municipality is located.

(c)

(1) Following such action by the municipality, a super majority of at least four (4) of the five (5) county election commissioners must approve their willingness to participate in the pilot program if the municipality is selected by the state coordinator of elections for inclusion in the pilot program. This super majority will also be required to establish the number and locations of convenience centers in each county if the municipality is so selected. Unless four (4) out of five (5) county election commissioners vote in favor of participating in the pilot program and the number and location of the convenient

voting centers, the voting precincts as described in § 2-3-103 must be utilized.

(2) Following an affirmative vote of the county election commission, the county election commission shall report to the state coordinator of elections its willingness to participate in the pilot program.

(d) The state coordinator of elections shall select one (1) or more municipalities from those counties in which the county election commission has voted in favor of participating in the convenient voting center pilot project at their municipal elections to be held in 2009.

(e) Approval by the state coordinator of elections shall be limited to any county having a population of not less than three hundred eighty-two thousand (382,000) nor more than three hundred eighty-two thousand one hundred (382,100) according to the 2000 federal census or any subsequent federal census.

Section 2-3-302.

(a) Notwithstanding any provision of law to the contrary, the state coordinator of elections, in collaboration with each county election commission where a municipality or municipalities have been chosen for the pilot project, shall establish a program which allows the municipality to combine precincts or polling places or establish one (1) or more convenient voting centers for the municipal election scheduled for 2009.

(b) If convenient voting centers are used in such election, precinct polling places shall not also be used in that election.

(c) Each convenient voting center used in the pilot project shall have a secure electronic connection, certified by the coordinator of elections, to the computerized voter registration system maintained by the county election commission permitting all voting information processed by any computer at a convenient voting center to be immediately accessible to all other computers at all convenient voting centers in the municipality. Such secure electronic connection must be sufficient to prevent any voter from voting more than once and to prevent unauthorized access to the computerized voter registration system.

(d) Each convenient voting center shall meet all applicable federal and state laws including the Help America Vote Act accessibility requirements.

(e) The provisions of chapter 7 of this title apply to all convenient voting centers.

Section 2-3-303.

The county election commission where any municipality participating in the pilot project is located, in consultation with the coordinator of elections, after taking into consideration all facts and circumstances, shall determine the number of convenient voting centers at such election. In no event shall there be less than one (1) convenient voting center for every twenty-five thousand (25,000) registered voters or such other ratio established by the coordinator of elections in consultation with each such county election commission.

Section 2-3-304.

If the county election commission combines polling places, precincts or establishes one (1) or more convenient voting centers in their county, the county election commission shall publish in a newspaper of general circulation the location of the convenient voting centers no less than thirty (30) days before the election. The county election commission shall mail to each voter whose polling place is changed a notice of the voter's new convenient voting center location. Furthermore, immediately after any establishment of a convenient voting center, the county election commission shall give written notification of such changes to the office of local government, comptroller of the treasury and to the coordinator of elections.

Section 2-3-305.

The provisions of T.C.A. § 2-3-107 shall apply to convenient voting centers.

Section 2-3-306.

The voting period for all convenient voting centers shall begin on the twentieth day before the day of the election and shall continue through the day of the election. Convenient voting centers shall be closed on all Sundays and state holidays in the voting period.

Section 2-3-307.

The county election commission office hours during the early voting period established pursuant to § 2-6-103 shall apply to the county election commission office hours during the early voting period under this act where any municipality that is participating in the pilot project created by this act is located.

Section 2-3-308.

The state election coordinator shall file a report with the state and local government committees of each house by January 31 following any municipal election conducted under the pilot project. The report shall contain the coordinator's evaluation of the pilot project together with his recommendations as to whether convenient voting centers should continue on a limited basis or whether they could be implemented statewide in all elections.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 15, 2008


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 3rd day of June 2008


PHIL BREDESEN, GOVERNOR